



Order Filed on April 25, 2017
by Clerk, U.S. Bankruptcy
Court - District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

Ditech Financial, LLC

Case No.: 16-32726-SLM

Adv. No.:

Hearing Date: 4/26/2017 @ 9:00 a.m.

Judge: Stacey L. Meisel

In Re:

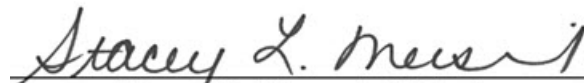
Mark Smith & Pamjoi Smith,

Debtors.

**ORDER GRANTING STAY RELIEF & RESOLVING OBJECTION TO
CONFIRMATION OF PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: April 25, 2017


Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Mark Smith & Pamjoi Smith

Case No: 16-32726-SLM

Caption of Order: ORDER GRANTING STAY RELIEF & RESOLVING OBJECTION TO CONFIRMATION

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Ditech Financial, holder of a lien on 17 Franklin Street, Charlestown, MA 02129, Denise Carlon, Esq. appearing, upon an objection to confirmation of Debtors' chapter 13 plan, and it appearing that notice of said objection was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Ditech Financial and Bruce Radowitz, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that 17 Franklin Street, Charlestown, MA 02129 is **not** property of Debtors' bankruptcy estate;

It is further **ORDERED, ADJUDGED and DECREED** that said property was never property of Debtors' bankruptcy estate, but rather is property belonging to a different Mark Smith that is not this bankruptcy debtor; and

It is further **ORDERED, ADJUDGED and DECREED** that the purpose of this Order is to allow Ditech Financial to proceed with any and all of its remedies with respect to the Massachusetts property, and is being entered out of an abundance of caution; and

It is further **ORDERED, ADJUDGED and DECREED** that the automatic stay did not go into effect upon the filing of this case;

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.